

# Diagnosis and Review Requirements

The Settlement Agreement controls what medical criteria applies when making a Qualifying Diagnosis, who reviews that diagnosis to see if it qualifies for a Monetary Award – the Appeals Advisory Panel of neurologists or the Claims Administrator – and how the review is to be done. This table shows how this works. Click the Blue, underlined phrases for an explanation or more details about the terms used in this table. You can find more information about all this in the [Frequently Asked Questions](#). A printable version of this table and the defined terms is available [here](#).

| 1<br>QUALIFYING<br>DIAGNOSIS                                 | 2<br>WHEN<br>DIAGNOSED  | 3<br>WHO MAY<br>DIAGNOSE                                     | 4<br>DIAGNOSTIC<br>CRITERIA              | 5<br>WHO<br>REVIEWS                          | 6<br>REVIEW<br>STANDARD                  |
|--|---|--|--|--|--|
| A<br>LEVEL 1.5<br><br>LEVEL 2                                | On or Before<br>7/1/11  | Group 1 Specialists  | <u>Generally Consistent</u>              | Claims Administrator*<br><u>AAP**</u>        | <u>Generally Consistent</u>              |
|  | 7/2/11 – 7/6/14   | Group 1 Specialists  | Generally Consistent                     | AAP  | Generally Consistent                     |
|  | 7/7/14 – 1/7/17   | Group 2 Specialists  | Generally Consistent                     | AAP  | Generally Consistent                     |
|  | Player Deceased<br>before 1/7/17  | Group 3 Specialists  | Generally Consistent                     | AAP  | Generally Consistent                     |
|  | After 1/7/17  | <u>BAP Provider in BAP</u><br><u>Qualified MAF Physician</u> | <u>Exhibit 1</u><br>Generally Consistent | Claims Administrator<br>Claims Administrator | <u>Exhibit 1</u><br>Generally Consistent |
| B<br>ALZHEIMER'S<br>DISEASE<br>PARKINSON'S<br>DISEASE<br>ALS | On or Before<br>7/1/11  | Group 1 Specialists  | Exhibit 1                                | Claims Administrator*<br>AAP**               | Generally Consistent                     |
|  | 7/2/11 – 7/6/14   | Group 1 Specialists  | Exhibit 1                                | AAP  | Generally Consistent                     |
|  | 7/7/14 – 1/7/17   | Group 2 Specialists  | Exhibit 1                                | AAP  | Generally Consistent                     |
|  | Player Deceased<br>before 1/7/17  | Group 3 Specialists  | Exhibit 1                                | AAP  | Generally Consistent                     |
|  | After 1/7/17  | Qualified MAF Physician                                      | Exhibit 1                                | Claims Administrator                         | Exhibit 1                                |
| C<br>DEATH WITH<br>CTE                                       | Death On or<br>Before 7/1/11  | Board-Certified<br>Neuropathologist                          | Exhibit 1                                | Claims Administrator*<br>AAP**               | Generally Consistent                     |
|  | Death 7/2/11 – 7/7/14:<br>diagnosed after death                             | Board-Certified<br>Neuropathologist                          | Exhibit 1                                | AAP  | Generally Consistent                     |
|  | Death 7/8/14 – 4/21/15:<br>diagnosed within 270 days<br>after date of death | Board-Certified<br>Neuropathologist                          | Exhibit 1                                | AAP  | Generally Consistent                     |

\*The Claims Administrator reviews diagnoses made by a board-certified neurologist, board-certified neurosurgeon, or other board-certified neuro-specialist physician.

\*\*The AAP reviews diagnoses made by physicians who are not board-certified neurologists, board-certified neurosurgeons, or other board-certified neuro-specialist physicians.

**NFL CONCUSSION SETTLE**  
In Re: National Football League Players' Injury Litigation No. 2:12-md-02323

EXHIBIT

5319981



# NFL

# CONCUSSION SETTLEMENT

IN RE: NATIONAL FOOTBALL LEAGUE PLAYERS' CONCUSSION INJURY LITIGATION  
No. 2:12-md-02323 (E.D. Pa.)

## DEFINITIONS AND EXPLANATIONS FOR THE DIAGNOSIS AND REVIEW TABLE

|           |                            |  |
|-----------|----------------------------|--|
| <b>1.</b> | <b>Group 1 Specialists</b> | <p>These include:</p> <ul style="list-style-type: none"> <li>(a) Board-certified neurologists;</li> <li>(b) Board-certified neurosurgeons;</li> <li>(c) Other board-certified neuro-specialist physicians; or</li> <li>(d) Otherwise qualified neurologists, neurosurgeons, or other neuro-specialist physicians.</li> </ul> <p>See Section 6.3(d) of the Settlement Agreement.</p>  |
| <b>2.</b> | <b>Group 2 Specialists</b> | <p>These include:</p> <ul style="list-style-type: none"> <li>(a) Board-certified neurologists</li> <li>(b) Board-certified neurosurgeons; or</li> <li>(c) Other board-certified neuro-specialist physicians.</li> </ul> <p>See Section 6.3(c) of the Settlement Agreement.</p>   |
| <b>3.</b> | <b>Group 3 Specialists</b> | <p>These include:</p> <ul style="list-style-type: none"> <li>(a) Board-certified neurologists;</li> <li>(b) Board-certified neurosurgeons;</li> <li>(c) Other board-certified neuro-specialist physicians;</li> <li>(d) Otherwise qualified neurologists, neurosurgeons, or other neuro-specialist physicians; or</li> <li>(e) Other physicians who have sufficient qualifications (1) in the field of neurology to make a Qualifying Diagnosis of Level 1.5 Neurocognitive Impairment, Level 2 Neurocognitive Impairment, Alzheimer's Disease, Parkinson's Disease, or ALS; or (2) in the field of neurocognitive disorders to make a Qualifying Diagnosis of Level 1.5 Neurocognitive Impairment or Level 2 Neurocognitive Impairment.</li> </ul> <p>See Section 6.3(e) of the Settlement Agreement.</p> |

**DEFINITIONS AND EXPLANATIONS FOR THE DIAGNOSIS AND REVIEW TABLE**

|           |  |  |
|-----------|--|--|
|           |  | <p>Qualified BAP Providers are:</p> <p>(a) Neuropsychologists certified by the American Board of Professional Psychology (ABPP) or the American Board of Clinical Neuropsychology (ABCN, a member board of the American Board of Professional Psychology), in the specialty of Clinical Neuropsychology; and</p> <p>(b) Board-certified neurologists.</p> <p>Only qualified neuropsychologists and neurologists can perform BAP exams. To qualify, these experts must be board-certified in their specialty and meet other requirements. Every Qualified BAP Provider was evaluated and selected by the independent, Court-appointed BAP Administrator and then approved by Co-Lead Class Counsel and the NFL Parties.</p> |
| <b>4.</b> | <b>BAP Provider in the BAP</b>         |  |
| <b>5.</b> | <b>Qualified MAF Physician</b>         | <p>A Qualified MAF Physician is a board-certified neurologist, board-certified neurosurgeon, or other board-certified neuro-specialist physician, who is part of a list of physicians approved by Co-Lead Class Counsel and the NFL Parties ("the Parties") as authorized to make a Qualifying Diagnosis after January 7, 2017. A physician is not a Qualified MAF Physician until he or she has been approved by the Parties and has signed a contract with the Claims Administrator. The list of Qualified MAF Physicians eligible to make Qualifying Diagnoses is posted on the Settlement Website.</p>   |
| <b>6.</b> | <b>Generally Consistent (Column 4)</b> | <p>The diagnostic criteria, testing and documentation used by the diagnosing physician does not have to be 100% the same as the Exhibit 1 criteria, but must be <i>generally consistent</i> with the Exhibit 1 diagnostic criteria, testing and documentation requirements. Something is "generally consistent with" something else if the two things have more elements or characteristics in common with each other than they have elements or characteristics that differ from each other. The common elements or characteristics must predominate over the uncommon ones. The closer a set of diagnostic criteria match those specified in Exhibit 1, the more "consistent" it will be with Exhibit 1.</p>             |
| <b>7.</b> | <b>Exhibit 1 (Column 4)</b>            | <p>Exhibit 1 to the Settlement Agreement sets forth the diagnostic criteria that Qualified BAP Providers must follow when determining if a Retired NFL Football Player has Level 1, Level 1.5, or Level 2 Neurocognitive Impairment. Exhibit 1 also sets forth the diagnostic criteria that other physicians must follow when making diagnoses of Alzheimer's Disease, Parkinson's Disease, Death with CTE and ALS.</p>  |
| <b>8.</b> | <b>AAP</b>                             | <p>The Appeals Advisory Panel ("AAP") consists of board-certified neurologists whom the Court approved to make recommendations to the Court and the Special Masters, upon their request, about the medical aspects of the Settlement and review claims for certain Qualifying Diagnoses. The AAP also may be asked by the BAP Administrator to determine a Retired NFL Football Player's level of neurocognitive impairment when there is a lack of agreement between two Qualified BAP Providers.</p>   |



**DEFINITIONS AND EXPLANATIONS FOR THE DIAGNOSIS AND REVIEW TABLE**

|     |  |  |
|-----|--|--|
| 9.  | <b>Generally Consistent<br/>(Column 6)</b> | <p>The Claims Administrator or AAP will review the Claim Package and Qualifying Diagnosis to make sure the diagnostic criteria, testing and documentation is <i>generally consistent</i> with the Exhibit 1 diagnostic criteria, testing and documentation requirements. Something is “generally consistent with” something else if the two things have more elements or characteristics in common with each other than they have elements or characteristics that differ from each other. The common elements or characteristics must predominate over the uncommon ones. These types of things are considered in reviews based on the generally consistent standard:</p> <ul style="list-style-type: none"> <li>(a) Qualifications of the diagnosing physician;</li> <li>(b) Year and state of medicine in which the Qualifying Diagnosis was made;</li> <li>(c) Types of testing and diagnostic methods used by the diagnosing physician; and</li> <li>(d) Supporting medical records.</li> </ul> |
| 10. | <b>Exhibit 1<br/>(Column 6)</b>            | The Claims Administrator or AAP will review the Claim Package and Qualifying Diagnosis to make sure the Exhibit 1 requirements are met.  |

# NFL CONCUSSION SETTLEMENT

NFL NATIONAL FOOTBALL LEAGUE PLAYERS' CONCUSSION INJURY LITIGATION  
No. 1:19-cv-06245 (E.D. Pa.)

## EXPLANATION:

This table shows the starting point for calculating the Monetary Award for a Retired NFL Football Player (or his Representative Claimant) based on this Qualifying Diagnosis and age at the time of that Qualifying Diagnosis. An actual Monetary Award may be lower than the base amount shown in the table because:

- (1) Retired NFL Football Players with fewer than five Eligible Seasons receive a reduction between 10% and 97.5%, depending on their actual number of Eligible Seasons;
  - (2) Certain Retired NFL Football Players with a medically diagnosed Stroke occurring before the Qualifying Diagnosis receive a reduction of 75%;
  - (3) Certain Retired NFL Football Players with a medically diagnosed Traumatic Brain Injury occurring before the Qualifying Diagnosis receive a reduction of 75%;
  - (4) Certain Retired NFL Football Players who do not participate in the Baseline Assessment Program receive a reduction of 10%;
  - (5) Eligible Derivative Claimants collectively receive 1% of the Monetary Award;
  - (6) Valid Liens will be paid out of the Monetary Award; and
  - (7) The Court has ordered that 5% of each Monetary Award be set aside to facilitate the Settlement program and related efforts of Class Counsel.
- (See Sections 6.7(a)-(e), 11.3(c)-(h), and 21.1 of the Amended Settlement Agreement)

Under Section 6.9 of the Settlement Agreement, in January of each year the Special Masters may direct an inflation adjustment to the Monetary Award amounts, not to exceed 2.5%, based on consideration of the Consumer Price Index for Urban Consumers. The amounts shown in this Grid reflect the 1.9% upward adjustment directed by the Special Masters starting on January 12, 2019.

## MONEY AWARD GRID BY AGE AT TIME OF QUALIFYING DIAGNOSIS (AS OF 1/12/19)

| Age      | ALS         | Death w/CTE | Parkinson's | Alzheimer's | Level 2     | Level 1.5   |
|----------|-------------|-------------|-------------|-------------|-------------|-------------|
| Under 45 | \$5,200,467 | \$4,160,373 | \$3,640,327 | \$3,640,327 | \$3,120,280 | \$1,560,140 |
| 45       | \$5,027,117 | \$3,883,015 | \$3,283,227 | \$3,224,289 | \$2,738,912 | \$1,369,455 |
| 46       | \$4,853,768 | \$3,605,656 | \$2,926,129 | \$2,808,252 | \$2,357,544 | \$1,178,772 |
| 47       | \$4,680,420 | \$3,328,299 | \$2,569,030 | \$2,392,215 | \$1,976,177 | \$988,089   |
| 48       | \$4,516,411 | \$3,141,082 | \$2,450,460 | \$2,246,602 | \$1,830,564 | \$915,282   |
| 49       | \$4,472,401 | \$2,953,865 | \$2,331,889 | \$2,100,988 | \$1,684,951 | \$842,476   |
| 50       | \$4,368,392 | \$2,766,648 | \$2,213,319 | \$1,955,375 | \$1,539,338 | \$769,669   |
| 51       | \$4,264,383 | \$2,579,431 | \$2,094,748 | \$1,809,762 | \$1,393,725 | \$696,863   |
| 52       | \$4,160,373 | \$2,392,215 | \$1,976,177 | \$1,664,149 | \$1,248,112 | \$624,056   |
| 53       | \$4,056,364 | \$2,204,998 | \$1,851,366 | \$1,570,541 | \$1,196,107 | \$558,054   |
| 54       | \$3,952,355 | \$2,017,781 | \$1,726,555 | \$1,476,932 | \$1,144,103 | \$572,051   |
| 55       | \$3,848,345 | \$1,830,564 | \$1,601,744 | \$1,383,324 | \$1,092,098 | \$546,049   |
| 56       | \$3,744,336 | \$1,643,347 | \$1,476,932 | \$1,289,716 | \$1,040,093 | \$520,047   |
| 57       | \$3,640,327 | \$1,456,131 | \$1,352,121 | \$1,196,107 | \$988,089   | \$494,045   |
| 58       | \$3,536,317 | \$1,414,527 | \$1,289,716 | \$1,154,504 | \$911,122   | \$455,561   |
| 59       | \$3,432,308 | \$1,372,923 | \$1,227,310 | \$1,112,900 | \$834,154   | \$417,078   |
| 60       | \$3,328,299 | \$1,331,319 | \$1,164,904 | \$1,071,296 | \$757,188   | \$378,594   |
| 61       | \$3,224,289 | \$1,289,716 | \$1,102,499 | \$1,029,692 | \$680,221   | \$340,111   |
| 62       | \$3,120,280 | \$1,248,112 | \$1,040,093 | \$988,089   | \$603,254   | \$301,627   |
| 63       | \$3,016,271 | \$1,202,348 | \$990,188   | \$919,443   | \$561,650   | \$280,825   |
| 64       | \$2,912,261 | \$1,156,583 | \$940,245   | \$860,797   | \$520,047   | \$260,023   |
| 65       | \$2,808,252 | \$1,110,820 | \$890,320   | \$782,150   | \$478,443   | \$239,221   |
| 66       | \$2,704,243 | \$1,065,056 | \$840,396   | \$713,504   | \$436,839   | \$218,420   |
| 67       | \$2,600,233 | \$1,019,291 | \$790,471   | \$664,858   | \$395,235   | \$197,618   |
| 68       | \$2,444,219 | \$940,245   | \$731,185   | \$594,933   | \$359,872   | \$179,936   |
| 69       | \$2,288,205 | \$861,198   | \$671,900   | \$545,009   | \$324,509   | \$162,254   |
| 70       | \$2,132,191 | \$782,150   | \$612,615   | \$495,084   | \$289,146   | \$144,573   |
| 71       | \$1,976,177 | \$703,103   | \$553,329   | \$445,160   | \$253,783   | \$126,891   |
| 72       | \$1,820,163 | \$624,056   | \$494,045   | \$395,235   | \$218,420   | \$109,210   |
| 73       | \$1,664,149 | \$532,527   | \$425,398   | \$343,231   | \$191,377   | \$95,688    |
| 74       | \$1,508,135 | \$441,000   | \$356,752   | \$291,226   | \$164,335   | \$82,167    |
| 75       | \$1,352,121 | \$349,471   | \$288,106   | \$239,221   | \$137,292   | \$68,646    |
| 76       | \$1,196,107 | \$257,944   | \$219,460   | \$187,217   | \$110,250   | \$55,125    |
| 77       | \$1,040,093 | \$166,415   | \$150,814   | \$135,212   | \$83,207    | \$41,604    |
| 78       | \$894,480   | \$143,533   | \$131,052   | \$118,571   | \$76,967    | \$38,484    |
| 79       | \$748,867   | \$120,651   | \$111,290   | \$101,930   | \$70,727    | \$35,363    |
| 80+      | \$312,028   | \$52,005    | \$52,005    | \$52,005    | \$52,005    | \$26,003    |

EXHIBIT

391998